

October 17, 2005
Regular Meeting

Minutes

Members present

D.C. Swaim- Chairman
Brady Wooten- Vice- Chairman
Leon Casstevens- Commissioner
Kim Clark Phillips- Commissioner
Allen Sneed- Commissioner

Others Present

Cecil E. Wood- County Manager
Melinda Vestal-Clerk to the Board
James Graham-County Attorney

Chairman Swaim called the meeting to order. Commissioner Phillips had the invocation. K-3 students from East Bend Elementary led the pledge of allegiance. Aiessa Call read a poem she had written. Science students displayed their dinosaur projects.

Public Hearing- Financing of schools, EMS and animal shelter

Chairman Swaim opened the public hearing for comments. There were none. Chairman Swaim closed the public hearing.

Public comments

Larry Vestal, Yadkinville, stated he has faithfully attended the commissioners' meetings. He commented no one is perfect and the employees of the county are doing a good job. They have the desire and dedication to serve the citizens of the county. The County Manager is very professional; he represents the county well and is very knowledgeable of the needs of the county. Mr. Vestal stated he appreciated the job done by Mr. Wood.

Amy Crump, Boonville, stated they are two things that will not change; taxes and death. She commented the county has difficulty changing, but without change it dies. She has seen the Board fight over the issue of money when it has been discussed. The Board continuously gets bad publicity; reporter only reports what is happening. Ms.Crump stated she is tired of what is going on. There are many needs in the county. There are two Commissioners who are looked down on and ignored when it comes to moving forward; making changes. The changes that need to be made in the county do not include a new County Manager. She thanked the Board for their time and urged them to work together.

Nick Schmidt, student, stated he is member of a newly formed group called Yadkin Teen Democrat. He pointed out that is the responsibility of the Board to do what is right for the county.

Bradley Hardy, Yadkinville, applauded Commissioner Phillips for her professionalism and encouraged her not to give up. He commented that Commissioner Phillips was the only one who voted not to rescind the loan for the schools back in December. Mr. Hardy recapped several votes by the Board. He thanked the Board for finally approving the loan for the schools. He commented on the motion to apply for a water loan by Commissioner Phillips which was voted down. He stated we need Commissioners to lead the county; not to be regressive.

Joan Holcomb, Courtney, spoke on behalf of Mr. Wood and his qualifications to lead Yadkin County. He is exactly what Yadkin County needs and he serves the county well.

Wayne Hutchens, Yadkinville, spoke on taking care of what we have. He commented on the recycling site at the landfill. There is also an area by his house where the trees and brush have grown up therefore causing a safety issue for the children catching the school bus.

Minutes

***Commissioner Wooten made the motion to approve the minutes with the change; adding an additional statement made by Commissioner Wooten under schools. Commissioner Sneed seconded. The Board vote 5-0.**

Animal Control-fees

Yadkin County Animal Control Fees and Rabies Warning

Effective Date 10-18-05

Adoption Fee \$50.00 (Dogs up for adoption will be held 10 days maximum).

Redemption Fee for Animals picked up. \$25.00 minimum
Additional \$5.00 per day after 5 days.

Bite & Quarantine Confinement Fee \$10.00 per day

Rabies Warning to be signed by all persons adopting animals from
Yadkin County Animal Shelter.

Wildlife rabies is present in Yadkin County. A dog, cat or other animal, which is bitten (exposed), by a rabid animal may develop symptoms of rabies for up to six (6) months. During this time (the incubation period), the exposed animal may appear to be healthy. Since the vaccination history of shelter animals is usually unknown,

many of these animals may not be protected against rabies. Although all the animals for adoption have been screened for signs of exposure to rabid animals before adoption, the possibility exists that your adopted pet may be infected.

It is, therefore, very important that you know these possible signs of symptoms in your pet; change in behavior, vicious, nervous activities, difficulty walking, or paralyzes. If your adopted pet develops these symptoms, immediately, separate the animal from people and other animals until it can be examined by a veterinarian.

Newly adopted pets three (3) months of age and older must be vaccinated, but a rabies vaccination may not protect the animal from previous bites or other exposure to rabies.

I understand and accept that there is risk in adoption and hold the Yadkin County Animal Control and Yadkin County harmless of liability damage from any disease that the animal may harbor at the time of adoption but was not evident at the time of the adoption.

_____ Adopter _____ Date

***Commissioner Wooten made the motion to approve the fees for the animal shelter. Commissioner Phillips seconded.**

Commissioner Phillips suggested adding a line to include the total amount owed.

The Board voted 5-0.

Planning & Zoning- set public hearing

***Commissioner Wooten made the motion to set a public hearing, November 21st, for proposed zoning amendments. Commissioner Sneed seconded. The Board voted 5-0.**

Governing Body- budget amendment

General Fund

Dept: Governing Body

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Misc. Revenue	1044000-48900	2,500.00	8.50	2,508.50
Travel/Training	1054110-54010	12,539.00	8.50	12,547.50

To record payment of meal invoice.

***Commissioner Wooten made the motion to approve the budget amendment. Commissioner Sneed seconded.**

Commissioner Phillips stated this amendment was petty and not necessary.

The Board voted 3-2. Commissioners Swaim and Phillips opposed.

Sheriff-budget

Major Widener discussed with the Board the increase in gas prices and how the increase is affecting the Sheriff's budget. He emphasized if the prices continue to increase, they will run out of gas money. The Deputies are required to park their car 15 minutes every hour. He commented there has been a 65% increase in gas prices since the budget was submitted. There has also been an 11% increase in calls. Major Widener stated at this rate they will need an additional \$71,000 to finish out the year.

Commissioner Wooten questioned the \$162,000 that was added to the Sheriff's budget for personnel when only \$122,000 was cut initially; the cuts were operational and not personnel.

Major Widener stated there was an additional 6% cut from the budget and it did include two positions.

The Board took no action.

EMS- bids for outpost stations

Brent Hawks informed the Board that five bids were submitted for the EMS outpost stations. The low bid was from Bill Minton Builders in the amount of \$142,000 for each outpost. Mr. Hawks asked the Board to approve the low bid.

John Matthews, EMS, informed the Board there are some cuts which can be made after reviewing the bids. Mr. Matthews stated he is very comfortable with Mr. Minton's bid and his workmanship.

Commissioner Sneed mentioned that someone has agreed to donate the cabinets for each outpost.

The Board discussed grading.

Mr. Matthews discussed the continuing rising prices of building materials.

Commissioner Wooten stated he would like the bid to be broken down showing the individual costs.

***Commissioner Phillips made the motion to approve the bid submitted by Bill Minton. She also included checking on the cabinets. Commissioner Casstevens seconded. The Board voted 5-0.**

John Matthews requested that if a problem should arise, could he contact Mr. Wood and one Commissioner so as not to delay the progress.

The Board took no action on the request.

Water/Sewer- resolution

**RESOLUTION BY YADKIN COUNTY
COMMISSIONERS**

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina Clean Water Revolving Loan and Grant Act of 1987 have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of a drinking water distribution system, and

WHEREAS, The Yadkin County has need for and intends to construct a drinking water distribution system consisting of installation of underground drinking water lines along old US 21 from Reavis Road, to the intersection of I-77/Hwy 21, north to West Yadkin Elementary School. These lines will be constructed to replace unsafe water currently supplied by contaminated wells along the route, and

WHEREAS, The Yadkin County intends to request state loan assistance for the project,

**NOW THEREFORE BE IT RESOLVED, BY THE COUNTY COMMISSIONERS
OF YADKIN COUNTY, NORTH CAROLINA:**

That Yadkin County will arrange financing for all remaining costs of the project, if approved for a State loan award.

That Yadkin County Commissioners will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the County Commissioners of Yadkin County agree to include in the loan agreement a provision authorizing the State Treasurer, upon failure of Yadkin County to make scheduled repayment of the loan, to withhold from Yadkin County any State funds that would otherwise be distributed to the Yadkin County in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That Yadkin County and Yadkin County Commissioners will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Cecil E. Wood, County Manager, and successors so titled, is hereby authorized to execute and file an application on behalf of the County Commissioners of Yadkin County with the State of North Carolina for a loan to aid in the construction of the project described above.

That Cecil E. Wood, County Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That Yadkin County has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the Seventeenth day of October, 2005 at Yadkinville, North Carolina.

s/D.C. Swaim
Chairman, Yadkin County Commissioners

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Clerk to the Board of the Yadkin County Commissioners does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Yadkin County Commissioners duly held on the Sixth day of September, 2005; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this Sixth day of September, 2005.

s/Melinda Vestal
Clerk to the Board
Yadkin County Commissioners

***Commissioner Casstevens made the motion to adopt the resolution. Commissioner Sneed seconded. The Board voted 5-0.**

Tax Administration- refunds and adjustments

Name/reason	Year	Total
William Dwight Palmer Land records corr acreage	2005	\$ 52.19

***Commissioner Wooten made the motion to approve the tax refunds and adjustments. Commissioner Casstevens seconded. The Board voted 5-0.**

Chairman Swaim called for a break.

Administration-resolution- Minority Business

**RESOLUTION
OF THE COUNTY OF YADKIN
MINORITY BUSINESS PARTICIPATION**

WHEREAS, the County of Yadkin is a duly formed and recognized municipality in the State of North Carolina, and;

WHEREAS, the County of Yadkin must comply with all applicable laws and regulations of the State of North Carolina;

NOW, THEREFORE, BE IT RESOLVED that Yadkin County Commissioners will endeavor to secure Minority Business Participation in all their activities where public funds are used. Further, the County will incorporate minority business goals in accordance with the monetary limits established pursuant to N.C.G.S. 143-128.2. The established verifiable percentage goal for participation by minority business enterprises in building construction and repair contracts for the County of Yadkin, North Carolina is 3 percent.

Adopted this 17th day of October 2005.

s/D.C. Swaim, Chairman

Attest:
Melinda Vestal
Clerk to the Board

Mr. Wood explained that adopting the resolution helps the county secure funds for water.

Mr. Wood also informed the Board that a public hearing needs to be set for the adoption of the Minority Business Plan.

***Commissioner Wooten made the motion to adopt the resolution. Commissioner Sneed seconded. The Board voted 5-0.**

***Commissioner Wooten made the motion to set the public hearing for November 21st at 7:00 p.m. Commissioner Phillips seconded. The Board voted 5-0.**

Closed Session

***Commissioner Sneed made the motion to go in closed session per G.S. 143.318-11(a)(5)(6). He asked John Matthews, Brent Hawks and Dale Trivette to attend the closed session. Commissioner Casstevens seconded. The Board voted 5-0.**

***Commissioner Sneed made the motion to come out of closed session. Commissioner Wooten seconded. The Board voted 5-0.**

Commissioner Comments

Commissioner Wooten inquired about the audit.

Commissioner Wooten asked about the issues at the animal shelter.

Mr. Wood stated they are still working on a few items; caulking and the ditch. The contractor and the architect will work out the vent issue.

Commissioner Wooten stated he has a communication issue he would like to discuss individually with the other Board members.

Commissioner Wooten questioned the wastefulness at the landfill. The county should look for improvements.

Mr. Wood stated the recycling products do get wet. Ms. Cranfill is checking with other vendors on how to handle this better.

Commissioner Wooten inquired about grants.

Mr. Wood stated he is meeting with Rural Development and Randy Darden on Thursday.

Commissioner Wooten asked about the I-77/Hwy 421 area.

Mr. Wood stated he is not sure how much the developer wants released at this time.

Commissioner Wooten inquired about the EMS Station in Jonesville and the area where the water/sewer was installed.

Mr. Wood stated the area has been reseeded.

Commissioner Sneed asked if Yadkin County had ever filed for any Gold Leaf funds?

Mr. Wood stated yes the county had applied, but was turned down; no funds for water/sewer.

Commissioner Sneed inquired if the county had considered direct deposit.

Mr. Wood stated yes it is possible; it's a question of the finance office having the time to set it up.

Commissioner Sneed asked about the curve on Sizemore Road with the issue of visibility.

Commissioner Phillips thanked everyone for coming to the meeting. She was very upset to read and hear about the possibility of Mr. Wood losing his job. She asked how many are here to support Mr. Wood; over half of the room raised their hand. Commissioner Phillips stated the Board had agreed that water and sewer are top priority for the county and Mr. Wood is the one who can get this done. She suggested the Board support Mr. Wood and his efforts.

Commissioner Phillips stated she has received several phone calls regarding the bathrooms at the park. She has talked with Joe Boyette, Director, and he is working with Forbush High School on building some new facilities.

Manager comments

Mr. Wood reminded the Board of the meeting with Mick Staton, Capitol Links, on Thursday, October 20th.

Mr. Wood informed the Board that the Board of Education has asked to move the meeting with them to either November 1st or 3rd. The Board agreed to November 3rd.

Mr. Wood stated Graham Fields, representative from Senator Dole's office, will be in the county on October 18th at 1:00 p.m. to discuss any issue of concern.

Mr. Wood stated the Auditor has asked the county to redo the capital project ordinance for the animal shelter; to include the previous site costs and development prices.

***Commissioner Phillips made the motion to redo the capital project ordinance. Commissioner Sneed seconded. Motion and second withdrawn**

The Board discussed Architect Cal Cochran's fees.

Mr. Wood presented invoices for the architect and contractor.

***Commissioner Wooten made the motion to pay the contractor with a holding amount of \$10,000 and to pay the architect half of the fees. Commissioner Sneed seconded. The Board voted 5-0.**

Commissioner Sneed questioned why the capital project ordinance had to be redone.

Mr. Wood stated GASB 34 requirements.

Mr. Wood updated the Board concerning the workload in Land Records.

***Commissioner Sneed made the motion to fill the position in Land Records. Commissioner Phillips seconded. The Board voted 5-0.**

***Commissioner Phillips made the motion to fill the position in Permitting. Commissioner Sneed seconded. The Board voted 5-0.**

Mr. Wood stated he would inform the Board when the meeting with the Auditor is confirmed.

Adjournment

***Commissioner Sneed made the motion to adjourn. Commissioner Wooten seconded. The Board voted 5-0.**

Melinda Vestal, Clerk to the Board